

**MINUTES OF THE
LAKEFRONT MANAGEMENT AUTHORITY
BOARD MEETING
THURSDAY, SEPTEMBER 3, 2020**

The regular monthly Board Meeting of the Lakefront Management Authority was held on Thursday, September 3, 2020 at the Lakefront Airport Terminal Building, 2nd Floor Conference Center, 6001 Stars and Stripes Blvd., New Orleans, Louisiana 70126, after due legal notice of the meeting was sent to each Board member and the news media and posted.

PRESENT:

Chair Wilma Heaton
Vice Chair Robert Watters
Secretary Thomas Fierke
Commissioner Stanley Brien
Commissioner Sean Bruno (*left at 6:54 PM)
Commissioner Esmond Carr
Commissioner David Francis
Commissioner Eugene Green, Jr.
Commissioner Dawn Hebert
Commissioner Renee Lapeyrolerie
Commissioner Pat Meadowcroft
Commissioner Anthony Richard
Commissioner Howard Rodgers
Commissioner Robert Romero

ABSENT:

Commissioner Stanley Cohn

STAFF:

Louis Capo – Executive Director
Daniel Hill– Director of Engineering and Operations
Bruce Martin –Airport Director
Brad Vanhoose– Harbor Master
Madison Bonaventure – Assistant to the Executive Director
Chris Durgin – Maintenance Repairer Master

ALSO PRESENT:

David Jefferson Dye– LMA Legal Counsel
Gerard Metzger – LMA Legal Counsel
Chris Morvant– Former LMA Commissioner
Al Pappalardo– LMA Real Estate Consultant, P.C.I.
Devin Callahan–Self
Rob Daigre– J & J Partners
Paul Dimitrios– RCL Architects, LLC

Calvin Gallier– JWA Architects
Mark Hack– JWA Architects
Ray Landeche– Lakeshore Resident
Steven Massicot– Oceana USA, LLC
Virginia Miller– BMF Communications
Chris Schramel– Quantum Sails
Sue Spilsbury– Lake Vista Resident

Chair Wilma Heaton called the meeting to order at 5:44 P.M. and led in the pledge of allegiance.

Executive Director Louis Capo called the roll, and a quorum was present.

OPENING COMMENTS:

Chair Heaton asked for a moment of silence for Chef Leon West, Executive Chef of Messina’s, who passed away. She said he was a generous man, and it was evident in the newsletter that everyone wanted to acknowledge him. She said that the LMA would like to honor him in a tribute in the atrium and invited fellow commissioners to collaborate on the effort.

She thanked Commissioner Morvant for his hard work and dedication to the LMA Board. She introduced his newly appointed replacement, Commissioner Renee Lapeyrolerie.

Director Capo read the Resolution of Appreciation for Chris Morvant into the record.

MOTION TO ADOPT AGENDA:

Commissioner Howard Rodgers asked if there was going to be any information about the development at South Shore Harbor because he did not see an item relating to it. Chair Heaton said there would be updates included in the Director’s Report.

Commissioner Fierke offered a motion to move Presentation Item X. up to VI. and to substitute the word “establishment” for “development” for New Business item No. 14. The motion was seconded by Vice Chair Watters and was unanimously approved to amend the agenda.

A motion was offered by Commissioner Fierke, seconded by Vice Chair Watters, and was unanimously approved, to adopt the agenda as amended.

PRESENTATION:

1) Motion to recognize Commissioner Chris Morvant for his service to the community as Commissioner on the Board of the Lakefront Management Authority.

A motion was offered by Commissioner Fierke, seconded by Commissioner Watters, and was unanimously approved, to recognize Commissioner Chris Morvant for his service to the community as Commissioner on the Board of the Lakefront Management Authority.

Chair Heaton honored Chris Morvant for his service and dedication on the LMA Board and presented him with a plaque.

Commissioner Lapeyrolerie said she was the Commissioner of Multimodal Commerce at LaDOTD, a New Orleans resident and native of Reserve, Louisiana. She said she was recently appointed to the Board. She said her division handles transportation – freight and passenger – via plane, trucking, and rail.

Chair Heaton said that Commissioner Lapeyrolerie’s experience on the several boards throughout the state will be an invaluable resource to the LMA.

MOTION: 17-090320
RESOLUTION: 17-090320
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER WATTERS

September 3, 2020

- 1) Motion to recognize Commissioner Chris Morvant for his service to the community as Commissioner on the Board of the Lakefront Management Authority.**

RESOLUTION

WHEREAS, after the devastation resulting from Hurricane Katrina, the Lakefront Management Authority, formerly the Non-Flood Protection Asset Management Authority, was created by the Louisiana State Legislature to provide management of the non-flood assets of the Orleans Levee District,

WHEREAS, due to his outstanding qualifications, expertise and professional experience, Chris Morvant was appointed to serve on the Board of Commissioners of the Lakefront Management Authority (LMA) by the Secretary of the Louisiana Department of Transportation and Development;

WHEREAS, Mr. Morvant graduated from the University of New Orleans with Bachelor of Science in Civil Engineering;

WHEREAS, Mr. Morvant has been employed with the Louisiana Department of Transportation and Development for 32 years and has served as the District 02 District Engineer Administrator for the past 6 years;

WHEREAS, Mr. Morvant's public service experience in maintenance and operations was an invaluable resource to the LMA and its constituents;

WHEREAS, Mr. Morvant's selfless dedication and support as a member of Lakefront Management Authority's Board of Commissioners from June 16, 2015 through June 2020 where he served as Vice-Chair of Marina, Member of Legal, and Nominating Committees is recognized;

BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby expresses its gratitude and appreciation to Chris Morvant for his dedication and contributions during his tenure as a member of the Board of Commissioners of the Lakefront Management Authority and for his devoted service to the citizens of Southeast Louisiana.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Bruno, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Cohn

RESOLUTION ADOPTED: YES

Chair Heaton announced Chris Durgin as the LMA's second Employee of the Month. She said Mr. Durgin started with the Authority on June 3, 2019. She said his aptitude for diagnosing and addressing electrical and HVAC issues has been a great asset, and Mr. Durgin has tackled major projects such as installation of the new HVAC system at the Lake Vista Community Center (LVCC). She said Mr. Durgin was a veteran of the U.S. Army National Guard earning a Sergeant E-5 rank. She said he was deployed for Desert Storm and Desert Shield, earning him the National Defense Ribbon. She thanked Mr. Durgin for his service to the LMA.

MOTION TO APPROVE MINUTES:

A motion was offered by Commissioner Bruno, seconded by Commissioner Green, and unanimously adopted, to approve the minutes of June 25, 2020.

PUBLIC COMMENTS:

Sue Spilsbury introduced herself to the LMA Board as a resident of Lake Vista at 21 Crane Street. She said her home was one of the original brick ranch style homes in the neighborhood, constructed on slab on grade, and she has been living there since 1987.

She said that rain would come down from the northern properties to drain into Crane Street. She said after Katrina her neighbor bulldozed her home and sold the lot. She said a new construction was built in its place at 17 Crane Street. Chair Heaton asked when the new construction was built. Ms. Spilsbury confirmed it was built in 2017.

Ms. Spilsbury said rainwater is no longer discharging into the street but rather is pooling up in her yard and in her home. She said she tried to negotiate a solution with her neighbor to no avail, and she does not want to sue her neighbor.

Chair Heaton said the LMA can advocate for Ms. Spilsbury with the Flood Protection Authority-East and the City of New Orleans as the LMA has no jurisdiction over drainage patterns. She said that the city approves building permits, and there is something wrong if her home has flooded after construction of her neighbor's home.

She suggested Ms. Spilsbury deliver her materials to Madison Bonaventure, Assistant to the Executive Director and Board Secretary.

Ms. Spilsbury said the utility servitude near her home is lumpy and grading the servitude would help her issue. Chair Heaton said that the LMA would try to help her get to the bottom of her issue.

DIRECTOR'S REPORT AND COMMITTEE REPORTS:

Director Capo said that the LMA was currently undergoing its annual audit for the fiscal year ending on June 30, 2020. He said the auditors have not yet begun procedures pursuant to the Single Audit Act. He said the cost increase for these functions was on the agenda for approval.

He said that the LMA budgeted to receive \$1.9 million in ad valorem tax revenue collected by the City of New Orleans and remitted via the Flood Protection Authority. He said that the LMA only received \$1.68 million of the \$1.9 million projected amount.

He said that airport fuel flowage sales were significantly impacted by the closure of Runway 18R/36L. He said that runway has been under construction since July 2019 and recently incurred additional problems delaying its re-opening. He said that the LMA has only generated about half of what it expected to collect in fuel sales so far. He said that staff is working with a consultant to resolve the runway issue.

He said the LMA is receiving payments according to the leases with exception of one tenant along the New Basin Canal. He said that tenant is paying the previous quarter in monthly

installments in addition to the current quarter's rent, so the LMA will receive all moneys that are due.

He said that the former Bally's site next to South Shore Harbor Marina (SSH) has been secured with "no trespassing" signage, barricades, and locks. He said that the two fuel tanks installed by the previous tenant have been inspected and cleaned to prevent environmental issues.

He said the Harbor Master Office has been operating out of a trailer since after Hurricane Katrina. He said it is at the end of its useful life due to issues such as faults in the floor. He said marina staff has now moved into the second floor of one of the northeast buildings so the public and staff have a suitable and safe place to conduct business. He said previously staff had to interact with customers through a window, and the new office is a vast improvement.

Chair Heaton said that they did have an interested party in developing the former Bally's site; however, no formal written proposal has been submitted by that individual. She said staff has received several calls from interested parties. She said the Commercial Real Estate Committee will assist staff in drafting an RFP for the site for advertisement.

She introduced Commissioner David Francis to the LMA Board. Commissioner Francis said he was the former publisher of the Times-Picayune. He said he sits on several boards throughout the city and is involved with real estate. He said that he is mostly retired and lives in the area.

Director Capo said new life rings have been placed along piers at Orleans Marina and SSH. He said that new LED lighting is being installed on poles at both marinas.

He said that he sent a letter to LVPOA regarding the upcoming clearing of cut-throughs. He said the maintenance crew will go out and inspect areas that require attention. He said that violating homeowners who have items placed, planted or overgrowth from their property in the cut-throughs will have up to 30 days to clean it up after notification from the LMA.

He said that Bruce Martin, Airport Director, was not available because a pilot mistakenly attempted to land on a closed runway prior to the meeting. He said that the pilot attempted to land on the closed runway marker, formed as a red "X" on the pavement, but skid off into the grassy area nearby. He said that one person was transported via EMS and appeared upset but uninjured.

Commissioner Bruno said that staff continues to successfully collaborate with the auditors and thanked staff for working towards completion of the audit.

Vice Chair Watters said that at the Commercial Real Estate Committee (CRE) Meeting, the Committee discussed the possible lease extension with J & J Partners and issues with their adherence to the terms of the lease.

Chair Heaton said that it was understood that Mr. Burgos, of J & J Partners, would reach out to the LMA's consultants and present his best and final offer to the Board for consideration. She said that she did send a draft of the agenda to Mr. Burgos to notify him that his issue was on the

agenda. She said he replied by email that he would not present at the meeting. She said she referred the issue to the Legal Committee so that may review and make a recommendation to the Board. She said it was the LMA's intention to avoid litigation, and Mr. Burgos had another opportunity to present to the Board.

Chair Watters said that Chris Schramel of Quantum Sails was a sublessee of West End Resources and wanted to stay in his leased premises at 404 S. Roadway. He said Mr. Schramel proposed an agreement to the CRE Committee so he could stay in his current leased area. He said the LMA wanted to put 424 S. Roadway complex - formerly the West End Resources site - back into commerce, potentially with a master lessee, and would move forward with an RFP.

He said that CRE discussed and recommended the transfer of the Benson's leasehold to Oceana, USA, L.L.C. He said that the CRE Committee requested a statement from the Benson estate and from Oceana USA, L.L.C. attesting that there has not been an exchange of money between the two parties for the transfer of the lease, and they provided it.

He said that Boathouse N-31, leased by Dr. Edward Boos, caught fire in November 2019. He said that Dr. Boos' insurance was insufficient and did not include the LMA as an additionally insured party as per the lease. He said Dr. Boos received approximately \$300,000 in insurance proceeds. He said Dr. Boos appealed to the CRE Committee to approve a lease transfer for the site as-is to another party. He said that the Committee did not approve his request and would revisit the issues.

Commissioner Fierke said that they also discussed Dr. Boos' compliance with the pilings' inspection as well. Commissioner Romero expressed concerns about its condition and safety.

Vice Chair Watters said that he was interested in proposing time limits for tenants to bring their improvements into their original condition if an incident were to take place.

Commissioner Francis asked what procedures were in place to confirm the insurance requirements were being met. Director Capo said that in the past the LMA has lacked staff in different areas of its operations; however, that is improving. He said the accounts receivables clerk is responsible for tracking tenants' insurances.

Commissioner Hebert said that the marina has some new staff members, and they have moved into their new office at SSH. She said that vagrants and squatters have moved out. She requested that OLDPD make sweeps in the evening time to ensure safety of its tenants. She said that staff will also collaborate with the police department to ensure that the LMA is notified when incidents occur at its marinas.

She reported that Mr. Brad Vanhooose, Harbor Master, and his team devised an Emergency Action Plan for both marinas for hurricane preparedness and other emergencies. She complimented their efforts.

She said marina tenants were very happy with the communications via the IRIS Alert System as they were informed of the FPA's operations during preparations for storm events.

Chair Heaton thanked Mr. Vanhooze for working with existing staff and bringing the marinas into compliance using his 22 years of experience in the USCG. She said she has received positive feedback from tenants regarding Mr. Vanhooze's diligence towards improving the marinas.

Commissioner Romero said that the Recreation/Subdivision Committee has been in touch with the Ancient Order of the Hibernians of Louisiana, Inc. regarding the progress of the park.

He said a contractor was doing work on the street, and PVC waterlines for Lake Terrace's garden have been damaged by Barriere Construction.

He said the Lake Terrace Park's improvements are advancing as part of the scope of the Seawall Erosion and Stabilization Project by the FPA. He said in addition to easier accessibility, the site will also boast enhanced parking.

He said that the Committee has explored options for constructing a shared use path to connect the existing path from Wisner Boulevard and to connect it to the lakefront. He said potential partners in the project was the City of New Orleans and other biking advocate groups.

He said that Ms. Evelyn Benoit, owner of 1744 Lakeshore Drive in Lake Terrace, came to the Committee to express her security issues with the servitude that is adjacent to her property. He said Commissioner Carr went to see the Entergy vaults that are accessed through the servitude, and there may be options to allow Entergy access from the backside of her property.

Chair Heaton said that Ms. Benoit's team proposed relinquishment of the servitude. She said the issue may need to be transferred to the Legal Committee for further study and execution.

Commissioner Hebert expressed concern about not being notified about the traffic study that the FPA is conducting between Rail Street and Canal Boulevard. She inquired as to why the LMA was not notified. Chair Heaton explained that it was her understanding that the study was conducted after discussions between the FPA, State Representative Hilferty and Councilman Giarrusso. Commissioner Hebert requested a copy of the study so all board members could review it. Chair Heaton said that she would have the FPA come back to present to the full Board.

Commissioner Hebert indicated that she saw the Shelter 1 parking bay was closed by OLDPD during the week.

Commissioner Richard asked about the LMA's authority in relation to the closure of Lakeshore Drive. Chair Heaton said that the FPA and OLDPD have the legal authority to do so, and they opted to close it to vehicular traffic on weekends due to excessive crowds and concerns about COVID-19. She said the LMA is getting calls from the public about Lakeshore Drive's status, but the LMA cannot force them to open it.

Commissioner Hebert said she called OLDPD to inquire about the opening of Lakeshore Drive. She said they reported that they will be reopening in Phase 3.

Daniel Hill, Director of Engineering & Operations, gave an update on maintenance activities:

- He said that due to a vendor issue, his team was still waiting on the corrected Lake Terrace sign.
- He indicated that the LMA only has 5 maintenance workers. He said one is dedicated to the Airport to tackle projects, and the others maintain all sites. He said that they work very hard and try to get to requests as quickly as they can.
- He said that daily operations have been interrupted by hurricane preparations.
- He reported that lighting has improved at both marinas. He said the maintenance team has replaced 38 lights at Orleans Marina and over 100 lights at SSH.
- He said that a waterline under the covered boat slips at SSH was repaired and a waterline near the Moffett Hangar was undergoing repair.

Chair Heaton said that Mr. Hill oversees the architectural and engineering projects at all sites and still makes time to meet with the maintenance team. She said he is currently overseeing major waterline repairs and a multimillion-dollar runway project.

Commissioner Fierke asked about the status of the Mardi Gras Fountain. Mr. Hill said the fountain's design has made it arduous and impractical for repair. He said the current issue is the insufficiency of the lighting system on the fountain. He said that the water pumps are operational.

OLD BUSINESS:

1) Presentation by J & J Partners and discussion regarding the leased property located at Municipal Address 7412 Lakeshore Drive

Chair Heaton said that Cesar Burgos, owner of J & J Partners, did not appear and did not want to present at the Board Meeting, so the item was deferred and would be referred to the Legal Committee.

NEW BUSINESS:

1) Motion to approve the request of Messina Lakefront Airport, L.L.C. to close Messina's Runway Cafe in the Terminal at the New Orleans Lakefront Airport for a period not-to-exceed 90 days because of the Coronavirus Pandemic and regulatory restrictions on the operation of restaurants in the City of New Orleans.

A motion was offered by Vice Watters, seconded by Commissioner Meadowcroft, and unanimously adopted, to approve the request of Messina Lakefront Airport, L.L.C. to close Messina's Runway Cafe in the Terminal at the New Orleans Lakefront Airport for a period not-to-exceed 90 days because of the Coronavirus Pandemic and regulatory restrictions on the operation of restaurants in the City of New Orleans.

Chair Heaton said the issue was discussed at the Airport Committee. She said that staff does not have the authority to amend the lease and after consultation with legal counsel and the Executive Director, the motion was recommended. She said that Messina's will

pay base rent but will remain closed for a period not-to-exceed 90 days with the period beginning on August 9, 2020.

MOTION: 01-090320
RESOLUTION: 01-090320
BY: COMMISSIONER WATTERS
SECONDED: COMMISSIONER MEADOWCROFT

September 3, 2020

- 1) Motion to approve the request of Messina Lakefront Airport, L.L.C. to close Messina's Runway Cafe in the Terminal at the New Orleans Lakefront Airport for a period not-to-exceed 90 days because of the Coronavirus Pandemic and regulatory restrictions on the operation of restaurants in the City of New Orleans.

RESOLUTION

WHEREAS, the Lakefront Management Authority ("Management Authority" or "Lessor") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District ("Airport");

WHEREAS, in 2014 Messina Lakefront Airport, L.L.C. ("Messina") entered into a long term lease with the Management Authority for a restaurant and special events venue in the Terminal at the Airport (the "Lease");

WHEREAS, pursuant to the terms and conditions of the Lease, Messina opened the Runway Cafe on the leased premises (the "restaurant") and has operated the restaurant since the restaurant opened in accordance with the terms and conditions of the Lease;

WHEREAS, the Lease includes mandatory requirements on operating the restaurant for a number of days and during certain hours per week;

WHEREAS, the Coronavirus was declared a Pandemic in February of 2020 and has resulted in governmental restrictions by State and local governments on the operation of public facilities, including restaurants in the City of New Orleans, since that time to curb the spread of the Coronavirus;

WHEREAS, Messina informed the Management Authority that the continued operation of the restaurant under the current governmental restrictions is having an adverse financial impact on its business and that the continued operation of the restaurant under these conditions is not financially feasible;

WHEREAS, Messina further informed the Management Authority that in order to fulfill its Lease obligations, including paying the rent owed under the Lease, that it will have to close the restaurant and requested approval of the Management Authority to close the restaurant for a period not-to-exceed 90 days commencing on August 9,2020; and,

WHEREAS, the Management Authority after considering this request resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the request by Messina Lakefront Airport, L.L.C. to close the Runway Cafe for a period not-to-exceed 90 commencing on August 9, 2020.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves the request by Messina Lakefront Airport, L.L.C. to close the Runway Cafe for a period not-to-exceed 90 days commencing on August 9, 2020.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign any documents necessary to carry out the above.

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

2) Motion to ratify settlement between F & M Aviation, L.L.C. and the Lakefront Management Authority in the amount of \$9,000.00.

A motion was offered by Commissioner Green, seconded by Commissioner Richard, and unanimously adopted, to ratify settlement between F & M Aviation, L.L.C. and the Lakefront Management Authority in the amount of \$9,000.00.

Chair Heaton said this issue was discussed at the Airport Committee. She said that Mr. Roland von Kurnatowski had F & M Aviation, L.L.C. which was separate and apart from Studio Network, L.L.C. She said that after his death, Mr. Bill Hammack was still listed as a business owner. She said that while Mr. Hammack did not personally occupy the business, he accepted responsibility and paid the settlement. She said that Mr. Von Kurnatowski made vast improvements to the condition of the building to the degree that the space could be advertised and put back into commerce.

David Jefferson “Jeff” Dye, Legal Counsel to the LMA, said that there was a legal dispute if Mr. Von Kurnatowski was authorized to enter into the lease agreement; however, Mr. Hammack did pay the settlement.

MOTION: 02-090320
RESOLUTION: 02-090320
BY: COMMISSIONER GREEN
SECONDED BY: COMMISSIONER RICHARD

September 3, 2020

2) Motion to ratify settlement between F & M Aviation, L.L.C. and the Lakefront Management Authority in the amount of \$9,000.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority approved Resolution 02-102617 to enter into a lease with F&M Aviation, L.L.C. for the old Mosquito and Termite Control Board warehouse and premises consisting of a total of 47,500 square feet, all as described on Drawing LD No. 2163 dated February 9, 1967, and revised on June 29, 1979;

WHEREAS, the Management Authority’s Executive Director Jesse D. Noel entered into the approved lease with F & M Aviation, L.L.C. on the 1st day of March 2018;

WHEREAS, the late Roland von Kurnatowski signed the March 1, 2018 lease on the behalf of F & M Aviation, L.L.C., and, in mid-2019, Bill Hammack became the Member-Manager of F & M Aviation, L.L.C.;

WHEREAS, F & M Aviation, L.L.C. defaulted in its lease obligations and the Management Authority issued a default letter to F & M Aviation, L.L.C. on May 22, 2020;

WHEREAS, the Management Authority approved Resolution 02-062520 and thereby authorized the institution of eviction proceedings against F & M Aviation, L.L.C.;

WHEREAS, the Management Authority negotiated a settlement of its claims against F & M Aviation, L.L.C. and entered into a Settlement Agreement on the 29th day of July 2020 in exchange for the payment of NINE THOUSAND DOLLARS (\$9,000.00) by F & M Aviation, L.L.C. to the Management Authority and for the return of the property;

WHEREAS, the Settlement Agreement was in the best interests of the Management Authority in that it resulted in the partial payment of the past due rent, avoided the litigation of disputed claims; and returned the property to the Management Authority so that the property could be returned to commerce;

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Lakefront Management Authority ratifies the settlement of its claims against F & M Aviation, L.L.C. and the Settlement Agreement entered into on the 29th day of July 2020 between the Management Authority Executive Director and F & M Aviation, L.L.C. as attached hereto.

BE IT FURTHER HEREBY RESOLVED that the Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

- 3) **Motion to approve a lease with Sky Transit, L.L.C. for Suite 106 in the Lakefront Airport Terminal a primary term of one-year with an option to renew for one-year and under the standard terms and conditions for leases in the Lakefront Airport Terminal.**

A motion was offered by Commissioner Watters, seconded by Commissioner Fierke, and unanimously adopted, to approve a lease with Sky Transit, L.L.C. for Suite 106 in the

Lakefront Airport Terminal a primary term of one-year with an option to renew for one-year and under the standard terms and conditions for leases in the Lakefront Airport Terminal.

Al Pappalardo, Real Estate Consultant to the LMA, confirmed that the unit was at market rate and at typical terms and conditions.

MOTION: 03-090320
RESOLUTION: 03-090320
BY: COMMISSIONER WATTERS
SECONDED: COMMISSIONER FIERKE

September 3, 2020

3) Motion to approve a lease with Sky Transit, L.L.C. for Suite 106 in the Lakefront Airport Terminal for a primary term of one-year with an option to renew for one-year and under the standard terms and conditions for leases in the Lakefront Airport Terminal.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority manages, operates and administers the New Orleans Lakefront Airport, located on the south shore of Lake Pontchartrain in the Parish of Orleans, State of Louisiana, which is a non-flood protection asset owned by the Orleans Levee District (“Airport”);

WHEREAS, Sky Transit, L.L.C. (“Sky Transit”) proposed to lease Suite 106, containing 275 square feet, in the Terminal at the Airport (“Terminal”), to use as an office, and under the terms and conditions set forth below;

WHEREAS, the proposed lease will be for a primary term of one (1) year, with a base annual rental of \$ 7,150.00 payable in equal monthly installments of \$ 595.83, with an option to renew for one year, subject to a CPI adjustment of the annual rental rate

during the option term; and, the lease will include the standard terms and conditions for leases in the Terminal and will also provide that the lessee will be responsible to pay an additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$ 121.00 per month during the first year of the lease, and which additional rent for the pro-rata share of the insurance and utility charges will be recalculated if the lessee exercises the option to renew for one additional year on the anniversary date of the lease;

WHEREAS, the Airport Committee at its regularly scheduled meeting held on August 18, 2020 discussed the proposal to lease Suite 106 to Sky Transit, LLC; however, there was no quorum present at the meeting and the Committee could not vote to recommend that the Management Authority approve the lease with Sky Transit, LLC under the terms and conditions set forth above; and;

WHEREAS, the Management Authority after considering the terms of the proposed lease resolved that it was in the best interest of the Airport and the Orleans Levee District to approve the proposed lease with Sky Transit, under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Management Authority approves a lease of Suite 106 in the Terminal at the New Orleans Lakefront Airport with Sky Transit, L.L.C., commencing on September 7, 2020, for a primary term of one (1) year, with a base annual rental of \$7,150.00, payable in equal monthly installments of \$595.83, with one (1) one-year option to renew, subject to a CPI adjustment of the annual rental rate during the option term; and, the lease shall include the standard terms and conditions for leases in the Terminal and shall also provide that the lessee will pay an

additional rent, consisting of a pro-rata share of the insurance premiums, electricity and gas charges at the Terminal, which will be \$121.00 per month, resulting in a total monthly rental of \$716.83 during the first year of the lease, and which additional rent for the pro-rata share of said insurance and utility charges will be recalculated if lessee exercises the option to renew for one year on the lease anniversary date.

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Sky Transit, L.L.C., which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

4) **Motion to accept the Firehouse Subs Safety Foundation Grant for AED devices for the ARFF facility in the amount of \$10,545.00.**

A motion was offered by Commissioner Fierke, seconded by Commissioner Meadowcroft, and unanimously adopted, to accept the Firehouse Subs Safety Foundation Grant for AED devices for the ARFF facility in the amount of \$10,545.00.

Chair Heaton said that the grant required no funds to match.

MOTION: 04-090320
RESOLUTION: 04-090320
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER MEADOWCROFT

September 3, 2020

- 4) Motion to accept the Firehouse Subs Safety Foundation Grant for AED devices for the ARFF facility in the amount of \$10,545.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority ("Authority") is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District ("District");

WHEREAS, the New Orleans Lakefront Airport is owned by Orleans Levee District and operated by the Authority;

WHEREAS, the Air Rescue and Firefighter Department at New Orleans Lakefront Airport is manned with paid professional firefighters and supervised by the Airport Operations Manager;

WHEREAS, the Authority submitted an application for funding for five Physio Control Automatic External Defibrillators (AEDs) and accessories from the Firehouse Subs Safety Foundation valued at \$10,545.00;

WHEREAS, the Firehouse Subs Foundation committee advised that the submitted application was accepted and chosen for funding with no required cost match from the Authority;

WHEREAS, the procurement process for the grant award is determined by the Firehouse Subs Safety Foundation, and any advanced purchases will be deemed as failure to adhere to the chosen method of procurement and will jeopardize the grant award;

WHEREAS, the Authority will acknowledge the grant by displaying the Firehouse Subs Safety Foundation logo on the granted items/equipment;

WHEREAS, it is in the best interest of the Lakefront Management Authority to

accept the grant on behalf of New Orleans Lakefront Airport Air Rescue and Firefighting Department;

THEREFORE, BE IT HEREBY RESOLVED, that the Authority, in its capacity as the governing authority of New Orleans Lakefront Airport, authorizes the Executive Director to sign any and all documents related to acceptance of the "Firehouse Subs Public Safety Foundation Grant", and to carry out any required installation of the equipment and necessary training for Air Rescue and Fire Fighting staff;

BE IT FURTHER RESOLVED, that the Authority hereby authorizes the Executive Director to sign any and all documents necessary to accomplish the above.

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

5) Motion to approve a contract with Ardaman and Associates for the investigation, design, and quality control of repairs of voids under Runway 18R/36L in the amount of \$23,293.00.

A motion was offered by Commissioner Fierke, seconded by Commissioner Watters, and unanimously adopted, to approve a contract with Ardaman and Associates for the investigation, design, and quality control of repairs of voids under Runway 18R/36L in the amount of \$23,293.00.

Mr. Hill said that after a void formed under Runway 18R/36L formed, Barber Brothers, AECOM and LMA staff went out to inspect the issue. He said the LMA employed a radar service to assess the severity of the void, and they discovered that the void extended the entire length of the runway.

Chair Heaton said a meeting was held where Barber Brothers and AECOM and their respective legal counsels attended. She said that all attempted to assign blame for the runway issue, and the investigation by Ardaman and Associates would provide clarity and preserve evidence of the design, construction quality and condition.

Vice Chair Watters asked if a product of this report would be a conclusion of who is at fault. Mr. Hill said it would. He said that FAA needs information regarding to the root cause as well. He

said that Ardaman and Associate’s work has included an investigation, and they will also include preparation of documents for the repair. He said they will also perform quality control functions.

Chair Watters said that the continued closure of the runway is hurting tenants.

MOTION: 05-090320
RESOLUTION: 05-090320
BY: Commissioner Fierke
SECONDED BY: Commissioner Watters

September 3, 2020

- 5) Motion to approve a contract with Ardaman and Associates for the investigation, design, and quality control of repairs of voids under Runway 18R/36L in the amount of \$23,293.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority approved Resolution 01-61719 to award Barber Brothers Contracting Company, L.L.C. the contract for the Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L;

WHEREAS, Barber Brothers Contracting Company reached substantial completion of the Lakefront Airport Mill and Overlay Runway Project in December 2019;

WHEREAS, on or about June 30, 2020, the Management Authority was forced to close Runway 18R/36L due to depressions in the runway surface that formed in the vicinity of station 161+00;

WHEREAS, Barber Brothers Contracting Company, through its legal counsel, has refused to repair Runway 18R/36L under the warranty for its work;

WHEREAS, the Management Authority engaged the services of Ardaman &

Associates, on or about July 13, 2020, to conduct an investigation of the depressions in the vicinity of station 161+00 and an overall review of the subsurface work for this portion of the Lakefront Airport Mill and Overlay Runway Project for Runway 18R/36L;

WHEREAS, based upon the findings of Ardaman & Associates investigation summarized in a report dated July 29, 2020, the Management Authority further engaged Aradman & Associates to prepare bid specifications for the repair of the depressions in Runway 18R/36L pursuant to an August 10, 2020 proposal;

WHEREAS, the Management Authority, with the assistance of Ardaman & Associates, has bid the repair of the depressions in Runway 18R/36L and now needs construction QA/QC services and support; and

WHEREAS, the Management Authority has resolved that it is in the best interest of the Management Authority to approve a contract with Ardaman and Associates for the investigation, design, and quality control of repairs of voids under Runway 18R/36L in the amount of \$23,293.00.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves an agreement with Ardaman and Associates, Inc. to provide investigation, design, and quality control services for the repair of voids under Runway 18R/36L in the amount of \$23,293.00 and additional amounts as necessary to complete the repairs of Runway 18R/36L and to return the runway to service.

BE IT FURTHER HEREBY RESOLVED that the Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

6) Motion to approve a contract with Quadex Lining Systems, LLC for the repair of voids under Runway 18R/36L in the amount of \$61,675.00.

A motion was offered by Commissioner Fierke, seconded by Commissioner Watters, and unanimously adopted, to approve a contract with Quadex Lining Systems, LLC for the repair of voids under Runway 18R/36L in the amount of \$61,675.00.

Commissioner Carr asked how the firm was selected.

Mr. Hill responded that he solicited 3 bids from 3 different firms. He said the type of work needed is highly specialized, so the market is much smaller. Mr. Hill said that Quadex was the only firm to submit pricing for the job. Commissioner Carr asked why that was. Mr. Hill said one firm was a non-response, and the other declined.

Gerard Metzger, Legal Counsel to the LMA, confirmed that the job cost did not necessitate a public bid process.

Commissioner Lapeyrolerie said she noticed there was a change order for inspections performed by AECOM. Mr. Hill clarified that those change orders were for additional time owed to inspectors subcontracted by AECOM during the original inspection period.

Commissioner Lapeyrolerie asked if the investigation was complete and what the root cause was determined as by Ardaman and Associates. Mr. Hill responded that Ardaman and Associates said the voids were caused by unsupported excavation and ground water changes.

Chair Heaton asked if Mr. Hill has been conferring with FAA on the repair. He confirmed that he was. Mr. Hill added that Quadex Lining Systems, LLC has completed over \$7 million in work at the Dallas Airport, so they are experienced in this type of work.

Commissioner Carr asked if Ardaman and Associates were the only consultant to advise on the degree of success that the filling of the voids would provide. Mr. Hill confirmed that AECOM is not consulting on the repair.

MOTION: 06-090320
RESOLUTION: 06-090320
BY: Commissioner Fierke
SECONDED BY: Commissioner Watters

September 3, 2020

6) Motion to approve a contract with Quadex Lining Systems, LLC for the repair of voids under Runway 18R/36L in the amount of \$61,675.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, on or about June 30, 2020, the Management Authority was forced to close Runway 18R/36L due to depressions in the runway surface that formed in the vicinity of station 161+00;

WHEREAS, the Management Authority has conducted investigations and developed specifications for the repair of the depressions on Runway 18R/36L in the vicinity of station 161+00;

WHEREAS, the Management Authority on August 25, 2020 solicited quotes for the repair of Runway 18R/36L from three contractors and received a response only from Quadex Lining Systems, L.L.C.; and,

WHEREAS, the Management Authority resolved that it is in the best interest of the Management Authority to enter into a contract with Quadex Lining Systems, L.L.C. in the amount of \$61,675 to repair the depressions on Runway 18R/36L in the vicinity of station 161+00.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves the entry of a contract with Quadex Lining Systems, L.L.C. in the amount of \$61,675 to repair the depressions on Runway 18R/36L in the vicinity of station 161+00.

BE IT FURTHER HEREBY RESOLVED that the Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

7) Motion to approve Amendment No. 1 to Task Order 01 with RCL Architecture, LLC for the Four Winds Fountain Restoration Project at the New Orleans Lakefront Airport for additional professional services and to increase the fee for professional services to \$26,959.51.

A motion was offered by Commissioner Fierke, seconded by Commissioner Richard, and was unanimously adopted, to approve Amendment No. 1 to Task Order 01 with RCL Architecture, LLC for the Four Winds Fountain Restoration Project at the New Orleans Lakefront Airport for additional professional services and to increase the fee for professional services to \$26,959.51.

Chair Heaton explained that the Fountain of the Four Winds Restoration Project worksheet had been erroneously closed by FEMA. She said the original construction fee for the restoration was estimated at approximately \$86,000 but cost approximately \$186,000.

RCL Architects, LLC was tasked with the design work of the repair of the Fountain of the Four Winds and due for additional unforeseen restoration, the design fees increased as the scope and time spent on the project increased. She said that the LMA could request a FEMA reimbursement for the fees owed to RCL Architects, LLC. She said the design fees may also be FEMA reimbursable.

She said private funds would be raised to finish the remaining elements. Chair Heaton clarified that the fountain was not running prior to Hurricane Katrina, so FEMA was unable to reimburse finances to fix its operability.

MOTION: 07-090320
RESOLUTION: 07-090320
BY: COMMISSIONER FIERKE
SECONDED BY: COMMISSIONER RICHARD

September 3, 2020

7) Motion to approve Amendment No. 1 to Task Order 01 with RCL Architecture, LLC for the Four Winds Fountain Restoration Project at the New Orleans Lakefront Airport for additional professional services and to increase the fee for professional services to \$26, 959.51

RESOLUTION

WHEREAS, the Lakefront Management Authority (“ Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District;

WHEREAS, the Management Authority manages two marinas, the New Orleans Lakefront Airport, a fifteen unit office building, 5.2 miles of Lakeshore Drive, four recreational shelters, and approximately 430 acres of open space and public parks;

WHEREAS, the Management Authority has a need for professional engineering services for the assets of the District managed by the Management Authority;

WHEREAS, the Management Authority entered into a contract with RCL Architecture, LLC (“Architect”) and issued Task Order 01, dated on January 24, 2017, (the “Task Order”) for professional services described in the Task Order for the Four Winds Fountain Restoration at the New Orleans Lakefront Airport, for a lump sum price of \$10,512.25, based on an estimated construction costs of \$67,386.38 (the “project”);

WHEREAS, the actual construction costs for the project totaled \$186,400.00, and in view of the increase in the construction cost for the project, Staff recommended an

amendment to the Task Order to increase the fee for professional services by the Architect to a total lump sum price of \$26,959.51;

WHEREAS, the Management Authority after considering the recommendation of Staff resolved that it was in the best interest of the District to approve an amendment of the Task Order for professional services for the project with the Architect to increase the fee for professional services to the lump sum price of \$26,959.51.

THEREFORE BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Amendment No. 1 to Task Order 01 with RCL Architecture, LLC for additional professional services for the Four Winds Fountain Restoration Project at the New Orleans Lakefront Airport and to increase the fee for professional services to the lump sum price of \$26,959.51.

BE IT FURTHER RESOLVED that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

- 8) **Motion to approve Change Orders 1 and 2 to Wallace Drennan, Inc. for the Stars and Stripes Waterline Repair Project in the amounts not-to-exceed \$31,026.48 and \$27,262.74 for additional water valves and additional services due to poor ground conditions.**

A motion was offered by Commissioner Fierke, seconded by Commissioner Waters and was unanimously adopted, to approve Change Orders 1 and 2 to Wallace Drennan, Inc. for the Stars and Stripes Waterline Repair Project in the amounts not-to-exceed \$31,026.48 and \$27,262.74 for additional water valves and additional services due to poor ground conditions.

Mr. Hill said that poor drawings from the mid-1980s, deeply dug waterlines and poor ground conditions required additional time to finish the job. He said additional water valves were also needed. He said that this waterline feeds to the FAA tower and South Shore Harbor Marina.

Mr. Hill said the LMA will be pursuing an MOU with the Sewerage and Water Board of New Orleans considering its waterline issues.

Commissioner Carr was asking if as-built drawings were being generated and maintained. Mr. Hill said he was keeping them on file.

Commissioner Fierke said he was concerned about the summary for audit purposes. Commissioner Green said he was confident in staff for doing their due diligence relating to the project.

MOTION: 08-090320
RESOLUTION: 08-090320
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER WATTERS

September 3, 2020

8) Motion to approve Change Orders 1 and 2 to Wallace Drennan, Inc. for the Stars and Stripes Waterline Repair Project in the amounts not-to-exceed \$31,026.48 and \$27,262.74 for additional water valves and additional services due to poor ground conditions.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, Stars and Stripes Boulevard is one of the non-flood protection assets of the District under the management and control of the Management Authority.

WHEREAS, the Management Authority in January 2020 issued a Request for Quotes for the Stars and Stripes Waterline Repair Project (“Project”) and the Invitation for Quotes provided that quotes had to be received by no later than 2 PM on January 17, 2020;

WHEREAS, Wallace C. Drennan, Inc. (the “contractor”) submitted the lowest responsive and responsible bid in the amount of \$69,700.00, and the Management Authority at its February 2020 Board meeting approved and thereafter entered into a contract for the Project with Wallace C. Drennan, Inc. for a not-to-exceed price of \$69,700.00;

WHEREAS, the contractor submitted request for change orders additional water valves and services needed to complete the Project caused by leaks in the water main resulting in adverse ground conditions at the construction site and failure of the drawings for construction and renovation of Stars & Stripes Boulevard to show the location of the waterline;

WHEREAS, the contractor submitted two change orders for this work, Change Order No. 1 in the amount of \$31,026.48 for the additional water valves and Change Order no. 2 in the amount of \$27,262.74 for additional service charges; and,

WHEREAS, the Management Authority after considering the request for the Change Orders submitted by the contractor and the recommendation of the Staff of the Management Authority resolved that it was in the best interest of the District to approve the Change Orders.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority hereby approves Change Order No. 1 in the amount of \$31,026.48 for additional water valves and Change Order No. 2 in the amount of \$27,262.74 for additional service for the contract with Wallace C. Drennan, Inc .for the Stars and Stripes Waterline Repair Project.

BE IT FURTHER HEREBY RESOLVED, that the Chairman or Executive Director of the Management Authority be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

- 9) **Motion to approve a Change Order to the contract with Magnolia Dredge and Dock, LLC for the South Shore Harbor Entrance Dredging Project for additional quantity of dredging services for a price and sum not-to-exceed \$46,070.63.**

Daniel Hill, Director of Engineering and Operations, said that the dredging project must begin with a pre-dredge survey to estimate the quantity needed and a post-dredge survey to determine that the quantity ordered has been completed. He said the project area was 1 foot shallower than the pre-dredge survey says due to the age of the pre-dredge survey. Mr. Hill explained that since additional fill needs to be removed, the LMA will need to pay for additional quantity of services.

Mr. Hill said that the original scope of work called for the company to dredge along the whole lane of the peninsula area. He said that after consultation with Director Capo and marina staff, the section has been reduced in length and deepened the dredging for optimized functionality.

Mr. Dye said that the disposal area of the fill also has dimensions to check the quantity of work.

Chair Heaton congratulated staff on advancing this project after a two-year permit process.

Mr. Hill added that 1 foot of fill built up in about a 4 to 5-year period, so it gives insight as to what to expect in the future.

MOTION: 09-090320
RESOLUTION: 09-090320
BY: COMMISSIONER HEBERT
SECONDED: COMMISSIONER FRANCIS

September 3, 2020

9) Motion to approve a Change Order to the contract with Magnolia Dredge and Dock, LLC for the South Shore Harbor Entrance Dredging Project for additional quantity of dredging services for a price and sum not-to-exceed \$46,070.63.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the South Shore Harbor Marina is one of the non-flood protection assets of the District under the management and control of the Management Authority;

WHEREAS, the Management Authority in May of 2020 issued an Invitation for Bids for the South Shore Harbor Entrance Dredging Project, in accordance with the provisions of the Louisiana Public Bid Law, La. Rev. Stat. 38:2212, et seq., and the Invitation for Bids provided that bids had to be received by no later than 2:00 P.M. on May 22, 2020 (the “project”);

WHEREAS, Magnolia Dredge & Dock, LLC (the “contractor”) submitted the lowest responsive and responsible bid and was awarded and entered into a contract for the project with the Management Authority for the price and sum of \$283,170.00;

WHEREAS, after work began on the project, it was determined that additional dredging services would be required to complete the project;

WHEREAS, the contractor submitted a request for a change order for these additional quantity dredging services for a price and sum not-to-exceed \$46,070.63, a copy of which is attached to this Resolution;

WHEREAS, the Marina Committee of the Management Authority at its meeting held on August 18, 2020 voted to recommend that the Management Authority approve the change order for the project under the terms set forth above; and,

WHEREAS, the Management Authority after considering the recommendation of the Marina Committee resolved that it was in the best interest of the Orleans Levee District to approve a change order for the project under the terms and conditions recommended by the Marina Committee.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a change order to the contract with Magnolia Dredge & Dock, LLC, for a price and sum not-to-exceed \$46,070.63, for additional quantity dredging services for the South Shore Harbor Entrance Dredging Project.

BE IT FURTHER HEREBY RESOLVED, that the Chairman or Executive Director of the Lakefront Management Authority be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

10) Motion to approve a lease with Schramel Sails, Inc. d/b/a Quantum Sails Design for the premises bearing Municipal Address 404 South Roadway Street.

A motion was offered by Commissioner Watters, seconded by Commissioner Fierke, and unanimously adopted, to approve a lease with Schramel Sails, Inc. d/b/a Quantum Sails Design for the premises bearing Municipal Address 404 South Roadway Street.

Vice Chair Watters explained that Chris Schramel, Owner of Quantum Sails Design, was a sublessee of West End Resources, and he wished to stay in his current leased area. He said to

accommodate his request, the CRE Committee recommended a quarterly lease with a 90-day termination clause.

Mr. Schramel introduced himself to the Board. He said he would like to see the complex get back into commerce.

Chair Heaton said the Board wanted to give Mr. Schramel some stability while an RFP is assembled and until a master lessee takes over.

MOTION: 10-090320
RESOLUTION: 10-090320
BY: COMMISSIONER WATTERS
SECONDED: COMMISSIONER FIERKE

September 3, 2020

10) Motion to approve a lease with Schramel Sails, Inc. d/b/a Quantum Sails Design for the premises bearing Municipal Address 404 South Roadway Street.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority” or “Lessor”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority manages, operates and administers the Orleans Marina and properties adjacent to the Marina owned by the District, including the building bearing Municipal Address 424 South Roadway Street (the “Building”);

WHEREAS, the Building bearing Municipal Address 424 South Roadway Street, includes office space bearing other Municipal Addresses, including the office space bearing Municipal Address 404 South Roadway Street located in the Building;

WHEREAS, Schramel Sails, Inc. d/b/a Quantum Sails Design (“Schramel Sails”), an international sail making business, for the past 27 years subleased the office space bearing Municipal Address 404 South Roadway Street in the Building from the lessee of the Building, West End Resources, Inc.;

WHEREAS, the lease with West End Resources Inc. expired on June 30, 2020, and after litigation the lease was terminated and possession of the Building was recently returned to the Management Authority;

WHEREAS, Schramel Sails still occupies and proposed to lease with the Management Authority for the office space bearing Municipal Address 404 South Roadway Street on a month-to-month basis, commencing on August 1, 2020, with a provision providing that either the lessor or lessee may terminate the lease upon giving written notice ninety (90) days prior to the effective date of termination, for a monthly rental of \$1,285.00, payment of the electricity charges metered to the office space, plus a non-refundable payment of \$5,140.00 in consideration of its occupancy of the office space prior to surrender of possession of the Building to the Management Authority;

WHEREAS, the Commercial Real Estate Committee of the Management Authority at its meeting held on August 20, 2020 voted to recommend to the Management Authority approval of a lease with Schramel Sails under the terms and conditions and set forth above; and,

WHEREAS, the Management Authority after considering the terms and conditions of the proposed lease and recommendation of the Commercial Real Estate Committee resolved that it was in the best interest of the District to approve the proposed lease with Schramel Sails under the terms and conditions set forth above.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a lease with Schramel Sails, Inc. d/b/a Quantum Sails Design for the office space bearing Municipal Address 404 South Roadway Street, on a month-to-month basis, effective on August 1, 2020, with a provision providing that either the lessor or lessee may terminate the lease upon giving written notice ninety (90) days prior to the effective date of termination with, for a monthly rental of \$1,285.00, payment of the electricity charges metered to the leased premises, plus a non-refundable payment of \$5,140.00, and including the other

standard terms and conditions for lease commercial space by the Lakefront Management Authority.

BE IT HEREBY FURTHER RESOLVED, that the Lakefront Management Authority Chairman or Executive Director be and is hereby authorized to sign a written lease with Schramel Sails, Inc. d/b/a Quantum Sails Design, which said lease shall include the terms and conditions set forth above, and any other documents necessary to carry out the above.

**YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero**
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

11) Motion to approve a lease with Nick Portillo d/b/a Nick's Prop Shop and Machine Works for space in the building located at 424 South Roadway.

The item was deferred for neither staff nor the Committee was able to develop an agreement with Mr. Portillo.

12) Motion to approve a Second Amendment to the contract with AIMS Group, Inc. for vibration monitoring services for the Orleans Marina North and East Wall Slips Project to extend the contract term through August 31, 2020 and to increase the contract price in an amount not-to-exceed of \$30,493.30.

A motion was offered by Commissioner Hebert, seconded by Commissioner Rodgers, and unanimously adopted, to approve a Second Amendment to the contract with AIMS Group, Inc. for vibration monitoring services for the Orleans Marina North and East Wall Slips Project to extend the contract term through August 31, 2020 and to increase the contract price in an amount not-to-exceed of \$30,493.30

Mr. Hill said that the additional time and services was a result of logistical issues with staging the piles before they were to be installed. He said the inspector must come out each time as a new delivery of piles is made and installed. He said the inspector has accumulated more hours than expected due to this challenge.

Commissioner Francis asked if the work was complete. Chair Heaton confirmed it was. Chair Heaton said that this was a site formerly leased by Eppling, and the property was returned to the LMA. She said the project would put several boat slips online in the marina.

Commissioner Carr asked why the pile logging and vibration monitoring was being done. Mr. Mr. Dye responded that it would aid the LMA in the event of a claim that the activities of the

pile driving have damaged properties as there are two condo developments in the immediate area.

Mr. Hill said that the professional service of pile logging provides historical information for maintenance or replacement in the future.

MOTION: 12-090320
RESOLUTION: 12-090320
BY: COMMISSIONER HEBERT
SECONDED: COMMISSIONER RODGERS

September 3, 2020

12) Motion to approve a Second Amendment to the contract with AIMS Group, Inc. for vibration monitoring services for the Orleans Marina North and East Wall Slips Project to extend the contract term through August 31, 2020 and to increase the contract price in an amount not-to-exceed of \$30,493.30

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Orleans Marina is one of the non-flood protection assets of the District under the management and control of the Management Authority;

WHEREAS, in February of 2019 the Management Authority issued an Invitation for Bids for the Orleans Marina North and East Wall Slips Project, in accordance with the provisions of the Louisiana Public Bid Law, La.Rev.Stat. 38:2212, et seq., (the “Project”);

WHEREAS, TKTMJ, Inc. was the lowest responsible bidder for the Project and the Management Authority approved a contract with TKTMJ, Inc., for the price and sum of \$1,008,800.00, for the Project;

WHEREAS, pilings have to be driven in connection with the Project and, consequently, vibration monitoring services are necessary in view of the proximity of other improvements and buildings to the construction site of the Project in the Orleans Marina;

WHEREAS, the plans and specifications for the Project required that the Management Authority contract at its expense for the vibration monitoring services;

WHEREAS, the Staff of the Management Authority received proposals for these services from several companies, including AIMS Group, Inc., a Louisiana corporation, which submitted a proposal to perform the services for the price and sum of \$36,905.00;

WHEREAS, the Management Authority adopted a resolution at its regularly scheduled meeting in February of 2020 that approved a contract with AIMS Group, Inc. for vibration monitoring services for the Project for a price and sum not-to-exceed \$36,905.00 (the “contract”);

WHEREAS, subsequently the Aims Group, Inc. recommended that additional vibration monitoring services would be required and that the cost would be \$31,567.50, and in May of 2020 the Management Authority adopted a resolution and approved an amendment to the contract for the required additional services, for a price and sum not-to-exceed \$31,567.50, increasing the total contract price to an amount not-to-exceed \$62,472.50;

WHEREAS, the Staff of the Management Authority advised that the contract for these services needs to be extended through August 31, 2020 and that the contract price for these services needs to be increased in an amount not-to-exceed \$30,493.30, increasing the total contract price to an amount not-to-exceed \$92,965.80;

WHEREAS, the Marina Committee of the Management Authority at its meeting held on August 18, 2020 voted to recommend that the Management Authority approve a Second Amendment of the contract under the terms and conditions set forth above; and,

WHEREAS, the Management Authority after considering the recommendation of the Marina Committee resolved that it was in the best interest of the Orleans Levee District to approve a Second Amendment of the contract under the terms and conditions recommended by the Marina Committee.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves a Second Amendment of the contract with AIMS Group, Inc. for vibration monitoring services for the Orleans Marina North and East Wall Slips Project to extend the contract term through August 31, 2020 and to increase the price under the contract for these services by an amount not-to-exceed \$30,493.30, thereby increasing the total contract price to an amount not-to-exceed \$92,965.80.

BE IT FURTHER HEREBY RESOLVED, that the Chairman or Executive Director of the Lakefront Management Authority be and is hereby authorized to sign any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

11) Motion to approve the request to Transfer the Lease with Tom Benson for the property located at 7420 Lakeshore Drive to Oceana USA, LLC.

A motion was offered by Commissioner Fierke, seconded by Commissioner Francis, and unanimously adopted, to approve the request to Transfer the Lease with Tom Benson for the property located at 7420 Lakeshore Drive to Oceana USA, LLC.

Chair Heaton said that the Benson organization has continued to pay the rent. She said when they initially wanted to transfer the lease, they wanted to enrich themselves over the transfer of the lease which is not allowable under the state constitution.

Mr. Pappalardo confirmed that the lease is within the market norms, and letters have been provided by each party to confirm that there is no exchange of money between the two for the transfer. Mr. Pappalardo also confirmed that there will be no change in use of the leased area.

Steven Massicot, of Oceana USA, L.L.C., confirmed that there was no exchange of money for the lease and acknowledged that there will be no change in use.

MOTION: 13-090320
RESOLUTION: 13-090320
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER RODGERS

September 3, 2020

13) Motion to approve the request to Transfer the Lease with Tom Benson for the property located at 7420 Lakeshore Drive to Oceana USA, LLC.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the New Basin Canal located in West End in the City of New Orleans is one of the non-flood protection assets of the Orleans Levee District under the management and control of the Management Authority;

WHEREAS, pursuant to the terms of a written lease signed on January 16, 1996, (the “Lease”), the former Board of Commissioners of the Orleans Levee District, a predecessor governing authority of the Orleans Levee District, as lessor, leased a certain parcel of ground, consisting of 16,922.67 square feet, more or less, bearing municipal address 7420 Lakeshore Drive, New Orleans, Louisiana, to Tom Benson, as lessee, for the sole purpose of a boat mooring area, for a term of ten (10) years commencing on January 1, 1996, with four (4) ten (10) options to renew, and for a quarterly rental and subject to other terms set forth in the Lease;

WHEREAS, Mr. Benson died in March of 2018, his Succession was opened and a Succession Representative was appointed to administer his Succession;

WHEREAS, the Succession Representative of Mr. Benson's Succession requested approval of the Management Authority to assign and transfer the Lease to Oceana USA, LLC, a domestic limited liability company, ("Oceana USA" or "assignee");

WHEREAS, under the terms of the proposed Assignment and Transfer of the Lease, Oceana USA has agreed to assume all obligations of the lessee under the Lease and there will be no other consideration extended or paid by Oceana USA for the assignment of the Lease;

WHEREAS, under Article 11 of the Lease the consent of the lessor is required to assign the Lease, which consent may not be unreasonably withheld;

WHEREAS, the Commercial Real Estate Committee at its regularly scheduled meeting held on August 20, 2020, after considering the request to assign and transfer the Lease, voted to recommend that the Management Authority approve the assignment of the lease, subject to the reimbursement of any costs and attorney fees incurred by the Management Authority in connection with the assignment and transfer of the Lease; and,

WHEREAS, the Management Authority after considering the request to assign and transfer the lease and the recommendation of the Commercial Real Estate Committee resolved that it was in the best interest of the District to approve the assignment and transfer of the Lease to Oceana USA, LLC.

THEREFORE, BE IT HEREBY RESOLVED, that the Lakefront Management Authority approves the assignment and transfer of the Lease with Tom Benson for the property located at municipal address 7420 Lakeshore Drive, New Orleans, Louisiana,

dated on January 16, 1996, to Oceana USA, LLC, conditioned on reimbursement of any costs and attorney fees incurred by the Lakefront Management Authority in connection with the transfer and assignment of the Lease.

BE IT FURTHER RESOLVED, that the Chairman or Executive Director of the Management Authority be and is hereby authorized to take any action and to sign any and all documents necessary to accomplish the above.

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

14) Motion to approve the development of a floodplain ordinance, pursuit of a new floodplain community through the National Flood Insurance Program (NFIP) and nomination of Daniel Hill, Director of Engineering and Operations, as the LMA interim Floodplain Administrator.

A motion was offered by Commissioner Fierke, seconded by Commissioner Watters, and unanimously adopted, to approve the development of a floodplain ordinance, pursuit of a new floodplain community through the National Flood Insurance Program (NFIP) and nomination of Daniel Hill, Director of Engineering and Operations, as the LMA interim Floodplain Administrator.

Mr. Hill said that he was the former floodplain administrator for the city of Covington in the past. He said these steps would enable the LMA to govern construction within its own floodplain so the LMA can be compliant with regulations outlined by the National Flood Insurance Program (NFIP).

He said FEMA requires the Board to pass the motion before them to state intent to move forward with the process. Mr. Hill said the second step would require passage of the ordinance itself at a later date.

MOTION: 14-090320
RESOLUTION: 14-090320
BY: COMMISSIONER FIERKE
SECONDED: COMMISSIONER WATTERS

September 3, 2020

14) Motion to approve the development of a floodplain ordinance, pursuit of a new floodplain community through the National Flood Insurance Program (NFIP) and nomination of Daniel Hill, Director of Engineering and Operations, as the LMA interim Floodplain Administrator.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the New Orleans Lakefront Airport (“Airport”) is one of the non-flood protection assets managed and controlled by the Management Authority;

WHEREAS, the Bastian Mitchell and James Wedell hangars are facilities located at the Airport and were severely damaged after Hurricane Katrina in 2005, and afterwards the Management Authority embarked on restoring these facilities;

WHEREAS, all facilities managed by the Management Authority must comply with regulations to qualify for enrollment in the National Flood Insurance Program (NFIP) to comply with the conditions of the federal assistance provided by FEMA to rebuild the hangars, and to remain eligible for FEMA aid;

WHEREAS, to participate in the National Flood Insurance Program, pursuant to NFIP Regulation 44 CFR 59.22 (a)(9)(iv), the Management Authority must (a) Assist FEMA, at its request, in delineation of the limits of the area having special flood, or flood-related hazards, (b) Provide such information as FEMA may request concerning present uses and occupancy of the floodplain, or flood-related areas, (c) Cooperate with Federal, State, and local agencies and private firms that undertake to study, survey, map, and identify floodplain, or flood-related areas, and cooperate with neighboring communities

with respect to management of adjoining floodplain, and/or flood-related areas in order to prevent aggravation of existing hazards;

WHEREAS, Pursuant to NFIP Regulation 44 CFR 59.22 (a)(9)(iv) upon occurrence, the Management Authority must notify FEMA, in writing, whenever the boundaries of the Community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area and in order that all Flood hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the Community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

WHEREAS, the Management Authority must appoint a Floodplain Administrator to maintain for public inspection and to furnish upon request for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new and substantially improved structures, and include whether or not such structures include a basement, and if the structure has been floodproofed and agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program; and

WHEREAS, the Management Authority determined that it is in the best interest of the District to approve the development of a floodplain ordinance, pursuit of a new floodplain community through the National Flood Insurance Program (NFIP) and

nomination of Daniel Hill, Director of Engineering and Operations, as the Management Authority's interim Floodplain Administrator to ensure compliance of all its facilities;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Lakefront Management Authority approves the development of a floodplain ordinance, pursuit of a new floodplain community through the National Flood Insurance Program (NFIP) and nomination of Daniel Hill, Director of Engineering and Operations, as the Management Authority's interim Floodplain Administrator;

BE IT HEREBY FURTHER RESOLVED, that the Management Authority Chair or Executive Director be and is hereby authorized to take any action and execute any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn

RESOLUTION ADOPTED: YES

15) Motion to approve a Contract Amendment with Gulf South Media for additional information technology services for work-at-home arrangements during COVID-19 in the amount of \$9,937.50.

Chair Heaton explained that the LMA operates with a small IT budget, and the IT consultant separated COVID-19 costs out for possible FEMA reimbursement under the CARES Act. She said the services provided outfitted staff to stay at home during March, April and part of May during the initial stages of the COVID-19 pandemic.

A motion was offered by Commissioner Francis, seconded by Commissioner Fierke, and unanimously adopted, to approve a Contract Amendment with Gulf South Media for additional information technology services for work-at-home arrangements during COVID-19 in the amount of \$9,937.50.

MOTION: 15-090320

RESOLUTION: 15-090320

BY: COMMISSIONER FRANCIS

SECONDED: COMMISSIONER FIERKE

September 3, 2020

15) Motion to approve a Contract Amendment with Gulf South Media for additional information technology services for work-at-home arrangements during COVID-19 in the amount of \$9,937.50.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District;

WHEREAS, the Management Authority has a need for assistance in implementing, installing, and managing complex Information Technology systems for stable day to day operations,

WHEREAS, Gulf South Media, (“IT Consultant”) has provided these services for the Management Authority and is intimately familiar with the Management Authority’s IT infrastructure;

WHEREAS, IT Consultant has provided the Authority with professional IT consulting services in the area of information technology and general consulting services as requested. Consultant has assisted the Authority’s essential needs for deploying technology to assist in effective operations.

WHEREAS, IT Consultant has assisted the Authority with work-at-home arrangements when it was in the best interest of the Authority to do so during the COVID-19 Pandemic, pursuant to State Proclamation 33 JBE 2020.

WHEREAS, the Authority has entered into a IT consultant agreement with Gulf South Media for an amount not to exceed \$25,000.

WHEREAS, due to the changes and increase with the Authority” staffing and office locations, the demand on IT consultant services were needed

WHEREAS, the increase in IT Consulting services has resulted in an increase in the contract cost

WHEREAS, the Authority needs to increase the contract amount by \$9,937.50 with a not to exceed total contract amount of \$34,937.50 due to costs associated with additional services for COVID-19 work-at-home arrangements.

THEREFORE, BE IT HEREBY RESOLVED, that Authority increase the contract amount with Gulf South Media by \$9,937.50 and not to exceed 34,937.50.

BE IT FURTHER HEREBY RESOLVED, that the Chairman or Executive Director be and is hereby authorized to execute any and all documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert,
Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero
NAYS: None
ABSTAIN: None
ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

16) Motion to approve an amendment to the Contract for Professional Services By and Between the Louisiana Legislative Auditor and Ericksen Krentel in the amount of \$8,000.00.

A motion was offered by Commissioner Richard, seconded by Commissioner Rodgers, and unanimously adopted, to approve an amendment to the Contract for Professional Services By and Between the Louisiana Legislative Auditor and Ericksen Krentel in the amount of \$8,000.00.

Director Capo said that initially when the auditing firm originally bid on the contract, they did not include costs associated with the mandatory Single Audit Act since the LMA receives federal funds.

MOTION: 16-090320
RESOLUTION: 16-090320
BY: COMMISSIONER RICHARD
SECONDED BY: COMMISSIONER RODGERS

September 3, 2020

16) Motion to approve an amendment to the Contract for Professional Services By and Between the Louisiana Legislative Auditor and Ericksen Krentel in the amount of \$8,000.00.

RESOLUTION

WHEREAS, the Lakefront Management Authority (“Management Authority”) is a political subdivision of the State of Louisiana and the governing authority of the non-flood protection assets of the Orleans Levee District (“District”);

WHEREAS, the Management Authority’s financial books and records are audited annually by an independent certified public accounting firm;

WHEREAS, the State of Louisiana Legislative Auditor (“Legislative Auditor”) issued a request for proposals for independent public accounting firms to prepare the audits for the Management Authority for the fiscal years ending June 30, 2018, June 30, 2019 and June 30, 2020;

WHEREAS, the Legislative Auditor selected the firm of Ericksen Krentel, L.L.P to prepare the audits for the fiscal years ending June 30, 2018, June 30, 2019 and June 30, 2020;

WHEREAS, the Legislative Auditor prepared and has signed a Contract for Professional Services with Ericksen Krentel, L.L.P. (the “Contract”) to provide the audit services for a total sum payable for the audit services and reimbursement of expenses and other costs not to exceed \$29,850.00 per annum,

WHEREAS, the Management Authority is named as a party to the Contract and is obligated under Section VI – Compensation, Sub-Section (C) Method of Payment of the Contract to pay the fees and costs for the annual audits to the Legislative Auditor in the

amount of approved itemized billing statements, not to exceed the amount specified in the approved itemized billing statements and as set forth in the Contract; and,

WHEREAS, on the Legislative Auditor notified the Management Authority of an increase in the contract price for the current audit year ending June 30, 2020

WHEREAS, the increase in the amount of \$8,000.00 was due to additional audit services required by the Single Audit Act and increase the not-to-exceed contract price to \$37,850.00; and,

WHEREAS, the Management Authority resolved that it was the best interest of the Management Authority and Orleans Levee District to approve an amendment of the Contract for Professional Services by and between the Louisiana Legislative Auditor and Ericksen Krentel, L.L.P to increase the not-to-exceed contract price to \$37,850.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Management Authority approves the amendment of the Contract for Professional Services by and between the Louisiana Legislative Auditor and Ericksen Krentel, L.L.P., a copy of which is attached to this Resolution, to increase the not-to-exceed contract price to \$37,850.00.

BE IT FURTHER HEREBY RESOLVED that the Lakefront Management Authority authorizes the Chairman or Executive Director of the Management Authority to sign the attached Contract for Professional Services by and between the Louisiana Legislative Auditor and Ericksen Krentel, L.L.P., a copy of which is attached to this Resolution, and any and all other documents necessary to carry out the above.

The foregoing was submitted to a vote, the vote thereon was as follows:

YEAS: Heaton, Watters, Fierke, Brien, Carr, Francis, Green, Hebert, Lapeyrolerie, Meadowcroft, Richard, Rodgers, Romero

NAYS: None

ABSTAIN: None

ABSENT: Bruno, Cohn
RESOLUTION ADOPTED: YES

ANNOUNCEMENT OF NEXT MEETING:

Chair Heaton announced that the next Board Meeting was scheduled September 24, 2020 at 5:30 PM.

MOTION TO ADJOURN:

A motion was offered by Commissioner Hebert, seconded by Commissioner Cohn, and unanimously approved, to adjourn the meeting. The meeting was adjourned at 7:47 PM.